

MELINDA HAAG (CABN 132612)  
United States Attorney

MIRANDA KANE (CABN 150630)  
Chief, Criminal Division

W.S. WILSON LEUNG (CABN 190939)  
Assistant United States Attorneys

450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102  
Telephone: (415) 436-6758  
Facsimile: (415) 436-6753  
E-Mail: [wilson.leung@usdoj.gov](mailto:wilson.leung@usdoj.gov)

Attorneys for the United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA	)	No. 4-12-MJ-70417
	)	
v.	)	
	)	STIPULATION AND ORDER
LAROND WENDELL HARRIS,	)	DOCUMENTING WAIVER
	)	
Defendant.	)	
	)	
	)	

With the agreement of the parties, and with the consent of the defendant, the Court enters this order vacating the preliminary hearing date of July 27, 2012, setting a new preliminary hearing date for August 28, 2012, at 9:30 a.m., before the duty magistrate judge, extending the time for the preliminary hearing under Federal Rule of Criminal Procedure 5.1, and excluding time under the Speedy Trial Act to August 28, 2012. The parties agree and stipulate, and the Court finds and holds, as follows:

1. The defendant, Larond Wendell Harris, was charged in a complaint dated April 13, 2012, with one count of conspiring to distribute cocaine base, in violation of 21 U.S.C. § 846, one count of distribution of cocaine base, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, and one count of using a communication facility to facilitate narcotics trafficking, in

1 violation of 21 U.S.C. § 843(b) and 18 U.S.C. § 2. Harris was arrested and subsequently  
 2 presented to the Court on or about April 19, 2012. Ellen V. Leonida, Esq., was appointed to  
 3 represent Harris. On April 24, 2012, Harris was ordered released on a \$75,000 personal  
 4 recognizance bond.

5 2. Since the defendant's initial appearance, the parties have been trying to resolve  
 6 this matter prior to the filing of indictment. Although the parties have conferred, these  
 7 discussions have not yet been completed. Accordingly, the parties respectfully request that the  
 8 July 27, 2012 preliminary hearing be continued until August 28, 2012 to allow them additional  
 9 time to pursue a potential disposition of this matter.

10 3. Taking into the account the public interest in the prompt disposition of criminal  
 11 cases, the above-stated ground is good cause for extending the time limit for a preliminary  
 12 hearing under Federal Rule of Criminal Procedure 5.1, for the filing period for an indictment,  
 13 and for excluding time under the Speedy Trial Act. Failure to grant the continuance would deny  
 14 the defense time for effective preparation and representation by seeking disposition of this matter  
 15 prior to indictment on agreed-upon terms.

16 4. Accordingly, with the consent of the defendant, the Court hereby: (a) vacates the  
 17 July 27, 2012 preliminary hearing date and extends the time for a preliminary hearing until  
 18 August 28, 2012, before the duty magistrate judge, at 9:30 a.m.; and (b) orders that the period  
 19 from today until August 28, 2012 be excluded from the time period for preliminary hearings  
 20 under Federal Rule of Criminal Procedure 5.1 and from Speedy Trial Act calculations under 18  
 21 U.S.C. § 3161.

22 SO STIPULATED:

23 DATED: July 24, 2012

/s/  
 ELLEN V. LEONIDA, ESQ.  
 Attorney for LAROND WENDELL HARRIS

25 DATED: July 24, 2012

/s/  
 W.S. WILSON LEUNG  
 Assistant United States Attorney

26 IT IS SO ORDERED.

27 DATED: July 25, 2012

  
 HON. DONNA M. RYU  
 United States Magistrate Judge